

UNITED STATES DISTRICT COURT
for the

Western District of North Carolina

United States of America

v.

WILLIAM JUNIOR JACOBS

Date of Previous Judgment: 10/27/2004
(Use Date of Last Amended Judgment if Applicable)

Case No: 3:03CR00036-001

USM No: 11427-058

Tanzania Cannon-Eckerle

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 180 (Ct. 1 only) months **is reduced to** 146 (Ct. 1 only).

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>37</u>	Amended Offense Level: <u>35</u>
Criminal History Category: <u>VI</u>	Criminal History Category: <u>VI</u>
Previous Guideline Range: <u>420*</u> to <u>life</u> months	Amended Guideline Range: <u>352*</u> to <u>425*</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): *The guideline range includes the 60 month consecutive sentence for a conviction of 18 U.S.C. § 924(c).

III. ADDITIONAL COMMENTS


**The defendant is serving a concurrent sentence of 180 months on Count Twelve for violations of 18 U.S.C. §§ 922(g) and 924(e) as well as a 60 month consecutive sentence in Count Eleven for a violation of 18 U.S.C. § 924 (c). His total term of imprisonment of 240 months, therefore, will ultimately remain unchanged by Amendment 706.

Except as provided above, all provisions of the judgment dated 10/27/2004 shall remain in effect.

IT IS SO ORDERED.

Order Date: July 27, 2009

Effective Date: _____
(if different from order date)


Frank D. Whitney
United States District Judge



